

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

PHILLIP MOCEK,

Plaintiff,

vs.

No. CIV 11-1009 JB/KBM

CITY OF ALBUQUERQUE,
ALBUQUERQUE AVIATION POLICE
DEPARTMENT, MARSHALL KATZ, in
his official capacity as Chief of Police of the
Albuquerque Aviation Police Department,
JONATHAN BREEDON, GERALD
ROMERO, ANTHONY SCHREINER,
ROBERT F. DILLEY a/k/a BOBBY
DILLEY, LANDRA WIGGINS, JULIO
DE LA PENA, and DOES 1-25, inclusive,

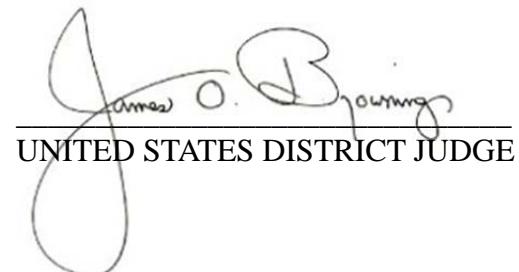
Defendants.

FINAL JUDGMENT

THIS MATTER comes before the Court on: (i) the Court's Memorandum Opinion and Order, filed January 14, 2013 (Doc. 49)(“First MOO”); and (ii) the Court's Memorandum Opinion and Order, filed February 28, 2014 (Doc. 74)(“Second MOO”). In the First MOO, the Court dismissed the following of Plaintiff Phillip Mocek's causes of action: (i) “Count I: Violation of the First Amendment of the United States Constitution under Bivens v. Six Unknown Agents” against Defendants Robert F. Dilley a/k/a Bobby Dilley, Landra Wiggins, Julio De La Pena, and Does 1-25, Complaint for Damages, Injunctive Relief, and Declaratory Relief ¶¶ 92-93, at 21-22, filed November 14, 2011 (Doc. 1)(“Complaint”); (ii) “Count III: Violation of the Fourth Amendment of the United States Constitution Under Bivens v. Six Unknown Agents” against Defendants Jonathan Breedon, Gerald Romero, Anthony Schreiner, and Does 1-25, Complaint ¶¶ 96-97, at 22-23; and (iii) “Count VIII: Declaratory Relief under 28

U.S.C. §§ 2201, 2202," Complaint ¶¶ 111-113, at 25-26, as against Breedon, Romero, and Schreiner in their official capacities. See First MOO at 123. In the Second MOO, the Court dismissed all remaining claims in Mocek's Complaint. See Second MOO at 133. Because the Court's First MOO and its Second MOO dispose of all claims and parties before the Court, entry of final judgment is appropriate.

IT IS ORDERED that: (i) the Complaint for Damages, Injunctive Relief, and Declaratory Relief, filed November 14, 2011 (Doc. 1), is dismissed; and (ii) final judgment is entered.



UNITED STATES DISTRICT JUDGE

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